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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993*

PART VI. HUMAN RIGHTS AND HUMANITARIAN AFFAIRS

Section 29. Protection of and assistance to refugees

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* The present document contains section 29A of the proposed programme budget for the biennium 1992-1993. The complete proposed programme budget will subsequently be issued in final printed form as Official Records of the General Assembly, Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1).

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SECTION 29A. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

OVERVIEW

TABLE 29A.1. ANALYSIS OF OVERALL COSTS

(Thousands of United States dollars)

DIRECT COSTS

(1) Regular budget

1990-1991 appropriation	Estimated additional requirements at revised 1991 rates				Total requirements at revised 1991 rates	Inflation in 1992 and 1993		1992-1993 estimates
	Revaluation of 1990-1991 resource base		Resource growth					
	$	%	$	%	$	$	%	
38 860.3	393.5	1.0	407.0	1.0	39 660.8	2 849.5	7.1	42 510.3

Analysis of real growth (at revised 1991 rates)

(1) Total revalued 1990-1991 resource base	Resource growth				Rate of real growth (5) over (1)
	(2) Actual	(3) Less non-recurrent items	(4) Plus delayed growth (new posts)	(5) Adjusted	
39 253.8	407.0	-	-	407.0	1.0%

TABLE 29A.1 (continued)

(2) Extrabudgetary resources

	1990-1991 estimated expenditures	1992-1993 estimated expenditures
(a) Services in support of:		
(i) Other United Nations organizations	-	-
(ii) Extrabudgetary programmes	124 744.3	124 744.3
Total (a)	124 744.3	124 744.3
(b) Substantive activities	-	-
Total (b)	-	-
(c) Operational projects	1 134 890.1	1 134 890.1
Total (c)	1 134 890.1	1 134 890.1
Total (a), (b) and (c)	1 259 634.4	1 259 634.4
Total, direct costs		1 302 144.7

TABLE 29A.2. ANALYSIS OF REVALUED 1990-1991 RESOURCE BASE (AT REVISED 1991 RATE)

(Thousands of United States dollars)

	1990-1991 appropriation (1)	Non-recurrent 1990-1991 items (2)	Additional requirements: Delayed impact of 1990-1991 growth: Established posts (3)	Additional requirements: Delayed impact of 1990-1991 growth: Other objects of expenditure (4)	Additional requirements: Recosting at revised 1991 rates: Established posts (5)	Additional requirements: Recosting at revised 1991 rates: Other objects of expenditure (6)	Additional requirements: Special adjustments (7)	Additional requirements: Total (8)	Net additional requirements (9) (8)-(2)	Total revalued 1990-1991 resource base (10) (1)+(9)
Office of the United Nations High Commissioner for Refugees	38 860.3	-	-	-	379.3	14.2	-	393.5	393.5	39 253.8

TABLE 29A.3. REGULAR BUDGET, DIRECT COSTS: SUMMARY OF 1992-1993 REQUIREMENTS AND RATES OF REAL GROWTH

(Thousands of United States dollars)

	1990-1991 appropriation	Estimated additional requirements at revised 1991 rates		Total requirements at revised 1991 rates	Inflation in 1992 and 1993	1992-1993 estimates	Rate of real growth %
		Revaluation of 1990-1991 resource base	Resource growth				
Office of the United Nations High Commissioner for Refugees	38 860.3	393.5	407.0	39 660.8	2 849.5	42 510.3	1.0

TABLE 29A.4. REGULAR BUDGET, DIRECT COSTS: SUMMARY OF 1992-1993 REQUIREMENTS AND RATES OF REAL GROWTH, BY OBJECT OF EXPENDITURE

(Thousands of United States dollars)

Objects of expenditure	1990-1991 appropriation	Estimated additional requirements at revised 1991 rates: Revaluation of 1990-1991 resource base	Estimated additional requirements at revised 1991 rates: Resource growth	Total requirements at revised 1991 rates	Inflation in 1992 and 1993	1992-1993 estimates	Rate of real growth %
Established posts	29 052.9	283.5	263.0	29 599.4	2 154.5	31 753.9	0.8
General temporary assistance	590.8	11.2	-	602.0	35.7	637.7	-
Overtime and night differential	153.4	3.0	-	156.4	9.2	165.6	-
Common staff costs	9 046.8	95.8	144.0	9 286.6	650.1	9 936.7	1.5
Representation allowances	16.4	-	-	16.4	-	16.4	-
Total	38 860.3	393.5	407.0	39 660.8	2 849.5	42 510.3	1.0

TABLE 29A.5. POST REQUIREMENTS

Organizational unit: Office of the United Nations High Commissioner for Refugees

	Established posts		Temporary posts				Total	
	Regular budget		Regular budget		Extrabudgetary resources			
	1990-1991	1992-1993	1990-1991	1992-1993	1990-1991	1992-1993	1990-1991	1992-1993
Professional category and above								
USG	1	1	-	-	-	-	1	1
ASG	1	1	-	-	-	-	1	1
D-2	2	2	-	-	10	10	12	12
D-1	10	10	-	-	33	33	43	43
P-5	19	20	-	-	72	72	91	92
P-4	14	15	-	-	155	155	169	170
P-3	27	27	-	-	220	220	247	247
P-2/1	15	15	-	-	146	146	161	161
Total	89	91	-	-	636	636	725	727
General Service category								
Principal level	4	4	-	-	28	28	32	32
Other levels	151	151	-	-	1 082	1 082	1 233	1 233
Total	155	155	-	-	1 110	1 110	1 265	1 265
Other categories								
Local level	-	-	-	-	243	243	243	243
Total	-	-	-	-	243	243	243	243
Grand total	244	246	-	-	1 989	1 989	2 233	2 235

29A.1 The Office of the United Nations High Commissioner for Refugees (UNHCR) was established as from 1 January 1951 under General Assembly resolution 319 A (IV). The basic terms of reference of the Office were provided in a statute approved by the Assembly in its resolution 428 (V). Subsequent resolutions of the General Assembly, the Economic and Social Council and the Executive Committee of UNHCR have called on the Office, in the context of its basic mandate, to assist groups of persons regarded as falling within the competence of the High Commissioner. The Executive Committee of the Programme of the United Nations High Commissioner for Refugees has the authority to advise the High Commissioner in the exercise of his functions under the Statute of his Office, and to approve the use of extrabudgetary funds made available to the High Commissioner.

29A.2 The essential functions of UNHCR, as outlined in its Statute, are to provide international protection to refugees and to seek durable solutions to refugee problems. On the one hand, UNHCR is required to safeguard the fundamental principles of asylum and non-refoulement and to ensure that the basic rights of refugees are respected and that they are treated in a decent and humane manner. On the other hand, UNHCR has had to develop, at the request of the General Assembly and the Governments concerned, substantial material assistance programmes to meet the increasing dimensions and complexity of refugee needs. In relation to the latter kinds of activity, UNHCR essentially responds to situations that cannot be foreseen.

29A.3 In accordance with article 20 of the Statute of UNHCR, the Office of UNHCR shall be financed under the budget of the United Nations and, unless the General Assembly decides otherwise, no expenditure other than administrative expenditures relating to the functioning of the Office of UNHCR shall be borne in the budget of the United Nations and all other expenditures relating to the activities of UNHCR shall be financed from voluntary contributions.

29A.4 The extrabudgetary figures indicated in the tables herewith are preliminary in nature. The overall voluntary fund requirements for the biennium 1992-1993 will be submitted to the Executive Committee of the Programme of the High Commissioner later this year.

29A.5 The Office is responsible for Programme 36, International protection of and assistance to refugees, of the medium-term plan for the period 1992-1997 (A/45/6/Rev.1). Programme 36 contains the following five subprogrammes:

International protection

Subprogramme 1. International instruments relating to the status of refugees or otherwise benefiting refugees

Subprogramme 2. Effective implementation of refugee rights

Subprogramme 3. Promotion and dissemination of principles of refugee law

Assistance

Subprogramme 4. Emergency response and relief, care and maintenance

Subprogramme 5. Durable solutions

Owing to the nature of the programmes, no designation of priority was given by the General Assembly.

29A.6 The programme of work of UNHCR is implemented at UNHCR headquarters by the Division of International Protection, the Division of Programmes, Support, Budget and Finance, and five regional bureaus. In the field, the programme of work is implemented by some 150 offices. Eleven regional representatives and 75 country representatives act on behalf of the High Commissioner in all aspects of the Office's activities in the country or countries to which they are accredited.

Programme of work

International protection

Subprogramme 1. International instruments relating to the status of refugees or otherwise benefiting refugees

29A.7 Efforts will be directed at promoting existing instruments and elaborating on new international or regional instruments and additional treaty provisions for the benefit of the rights of refugees, returnees and displaced persons.

Activities:

(a) Publication of an estimated 700 pages of treaty texts and explanatory documentation in the form of collection of instruments, including the development of a database for the maintenance and publication of records of accession, declarations and reservations made by States to the international instruments concerning refugees and other promotion material;

(b) Consultations on a continuing basis with Governments, at Headquarters and in the capitals, in order: to promote further accessions to the existing instruments mentioned above and, where applicable, the withdrawal of the geographical limitation and other reservations, stressing the advantages both to refugees and to the Governments themselves; to discuss new and ongoing problems that affect refugees with a view to extending current, or elaborating new, international or regional instruments in favour of protection of refugees, returnees and displaced persons; and to ascertain which protection problems could be appropriately dealt with by the modification of current, or adoption of new, international or regional instruments;

(c) Regular contacts with other intergovernmental organizations, continuing dialogue with the Secretariat and specialized agencies concerned with the preparation of international instruments with a view to the inclusion, as appropriate, of provisions favourable to refugees, returnees and displaced persons;

(d) Substantive servicing of two sessions of the Executive Committee's Subcommittee of the Whole on International Protection of Refugees;

(e) Collection of data through legal research on matters concerning the protection mandate and activities of UNHCR, as well as the status and security situation of refugees, returnees and displaced persons in various parts of the world, with a view to promoting the elaboration of additional instruments in favour of these three groups;

(f) Preparation of background information on the subjects to be considered by the Subcommittee of the Whole on the International Protection of Refugees at the annual sessions of the Executive Committee of the High Commissioner's programme.

Subprogramme 2. Effective implementation of refugee rights

29A.8 The central objective of this subprogramme will continue to be to obtain the widest possible observance by States of internationally accepted standards for the treatment of refugees through the effective implementation of the provisions contained in the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol, together with efforts undertaken in accordance with subprogramme 1. Where refugee problems arise in countries not parties to either the 1951 Convention or the 1967 Protocol, UNHCR action, based on the universal nature of the mandate of the Office, will be directed towards ensuring that refugees receive as favourable a legal status as possible, that they are treated in accordance with relevant principles of general international law, including established principles of human rights, and that, at the minimum, they are protected against refoulement. Other related objectives will aim at improving the protection of refugee women and refugee children.

Activities:

(a) The issuance of approximately 40,000 travel documents in various languages to assist Governments in implementing the specific rights of refugees under existing international instruments and of 20,000 refugee identity cards to assist in refugee census and identification operations; and the facilitation of national documentation for returnees;

(b) Two reports to the Executive Committee;

(c) Promoting the adoption of adequate legislative and/or administrative measures concerning the granting of asylum and the observance of the principles of non-refoulement and encouraging liberal practice by Governments in regard to these matters;

(d) Monitoring, including through direct dialogue with Governments, the implementation by States of obligations assumed and responsibilities owed towards refugees on the basis of relevant international instruments and general principles of international law;

(e) Maintaining appropriate contacts with governmental and judicial authorities and providing adequate legal counselling and representation facilities so as to ensure that refugees are, in fact, able to benefit from the standards laid down in international instruments and from the relevant provisions of national legislation, and intervening, as appropriate, with national authorities to prevent violations of these standards;

(f) Promoting, where necessary, the establishment by States of appropriate procedures for the determination of refugee status as defined by the relevant international instruments;

(g) Promoting the adoption of the necessary legislative and/or administrative measures to give effect to the standards for the treatment of refugees defined in the 1951 Convention and the 1967 Protocol and in other relevant international

instruments, and the adoption, where necessary, of legislative and/or administrative measures favourable to refugees in those States which have not yet become parties to those instruments;

(h) Promoting national legislative and/or administrative measures favourable to the acquisition by refugees of the nationality of their country of permanent residence;

(i) Promoting the voluntary repatriation of refugees, where appropriate, as well as their successful reintegration in their countries of origin in conditions of safety and dignity through mediation and dialogue between the countries of origin and asylum, among national authorities, as well as between all of these and the refugees;

(j) Developing a policy framework and organizational workplan for the next stages in the mainstreaming within UNHCR of refugee women's protection issues. Particular attention will be paid to assisting field personnel to facilitate participation of refugee women, revising and expanding the existing internal guidelines relating to the international protection of refugee women, and developing training materials and courses to increase awareness of the specific protection needs of refugee women and to encourage the involvement of non-governmental organizations in this exercise;

(k) Disseminating the "Guidelines on Refugee Children" and the implementation of a specific workplan, which will focus in particular on their protection needs; seeking the active cooperation and collaboration of Governments, other United Nations bodies, among them the United Nations Children's Fund, non-governmental organizations and refugees themselves, in the implementation of the Guidelines and the workplan; increasing public awareness of the situation and needs of refugee children; and developing training materials to improve the capacity and effectiveness of field personnel in identifying and addressing the protection as well as other needs of refugee children.

Subprogramme 3. Promotion and dissemination of principles of refugee law

29A.9 Efforts will be directed at: (a) promoting an increased understanding of the special position of refugees, returnees and displaced persons; (b) creating a climate of opinion favourable to the strengthening of their legal status; and (c) promoting a wider knowledge of the principles of international protection, with particular emphasis on the refugee law training of staff of Governments and non-governmental organizations.

Activities:

(a) Organization of 56 seminars for the in-depth examination of new legal problems in the field of international protection and/or for the review and development of existing standards;

(b) Two annual courses on refugee law in coordination with the International Institute of Humanitarian Law (San Remo, Italy);

(c) Issuance of approximately 20 publications in the field of refugee law, including reports of seminars and meetings, in one or two languages; translation of the refugee law publications into additional languages and studies; lectures and

background papers; and assistance in the publications of an independent international journal of refugee law managed by a publisher other than UNHCR;

(d) Participation in conferences, seminars, and public debates on refugee questions;

(e) Collaboration with other United Nations bodies, particularly in the human rights field, will be strengthened with a view to sharing ideas, information, experiences and documentation, as well as joint collaboration in their promotion and dissemination programmes, and sensitizing them to refugee problems in their spheres of responsibility;

(f) Cooperation with non-governmental organizations will be strengthened in order to stimulate and strengthen their interest in refugee law and international protection; in this respect, joint efforts in training refugee advocacy lawyers and other refugee law practitioners will be particularly important. This collaboration will further manifest itself in the establishment and use of databases covering international and national legislation and case law;

(g) Consultations will be held with ministries of education and officials of institutions of higher learning with a view to promoting the introduction of courses on refugee law in the curricula of the social studies curriculum.

Subprogramme 4. Emergency response and relief, care and maintenance

29A.10 Activities will aim at: (a) providing relief to refugees in emergency situations - with particular attention to the needs of women and children - and promoting greater efficiency and effectiveness of emergency preparedness and response to new refugee situations, or participating, at the invitation of the Secretary-General, in special humanitarian operations for which UNHCR has particular expertise and experience; (b) promoting the development and implementation of intermediate assistance measures, pending the identification of durable solutions, with the ultimate aim of enabling refugee groups and individuals to become self-supporting in the country of first asylum. In this way, the need for prolonged care and maintenance programmes is contained and the financial burden on the host Government, and on the international community at large, is reduced.

Activities:

(a) Two reports on the overall results of operations to the General Assembly through the Economic and Social Council and the Executive Committee of the High Commissioner's Programme;

(b) Improvement and streamlining existing in-house emergency procedures, work methods, and systems applicable to emergency response;

(c) Development and implementation of a UNHCR emergency staffing roster to facilitate rapid deployment of staff to sites of emergency influxes;

(d) Development and utilization of a kit for registration and commodity distribution;

(e) Continued provision of emergency management training to staff of UNHCR, participating Governments and non-governmental organizations acting as implementing partners, and the improvement of core materials for the Emergency Management Training Programme;

(f) In the field of early warning, improvement of early warning mechanisms and systems at the field level, and for the advancement of inter-agency coordination;

(g) Establishment of an emergency stockpile which will allow the rapid shipment of the most commonly needed relief items to the emergency location;

(h) Preparation by all field offices of a "Refugee Contirgency Plan" according to a new format prepared at Headquarters;

(i) Provision of assistance for the continued development of national disaster plans that include refugee components for southern Africa and other regions;

(j) Systematic utilization of the "Supplies and Food Aid Field Handbook" in the planning and implementation of logistics and transport systems in emergency operations;

(k) Promotion of the active involvement of refugees in the provision of emergency assistance and in the development of appropriate self-help measures;

(l) Systematic evaluation, including "lessons learned" surveys, of all major refugee emergencies;

(m) In relation to refugee women, further development of the policy framework and organizational workplan for the next stages in the mainstreaming of refugee women's issues within UNHCR;

(n) Wider dissemination of the "Guidelines on refugee children", and the implementation of a related workplan;

(o) Revision of the UNHCR Handbook for Emergencies, which will highlight the particular needs of refugee women and children;

(p) Provision of care and maintenance, which involves not only the provision of the types of assistance listed above but also related strategies. This involves raising the necessary financial resources for the General Programme or by appeals for Special programmes and, in addition, identifying those assistance tasks which might be undertaken in whole or in part by other bodies of the United Nations system and other international organizations. It also involves negotiating an agreed division of responsibilities and arrangements for the financing of these activities, while at the same time safeguarding the ability of the High Commissioner to exercise fully his mission of protection;

(q) Monitoring the implementation of care and maintenance projects and assessing their impact on the target beneficiaries, especially women and children.

Subprogramme 5. Durable solutions

29A.11 Durable solutions include voluntary repatriation, local integration and resettlement. In relation to the two preferred solutions of voluntary repatriation and local integration, the Secretariat will encourage an appropriate contribution on the part of development agencies.

Activities:

(a) Two reports on the overall results of operations submitted to the General Assembly, through the Economic and Social Council, and to the Executive Committee of the High Commissioner's Programme;

(b) As regards the identification and promotion of voluntary repatriation solutions, the strategy will consist of consultations and the establishment of mutually agreeable procedures with the authorities of the countries concerned and with the refugees themselves, and provision of materials assistance (payment of travel costs and initial settlement measures in the country of origin) to refugees who wish to be repatriated;

(c) In the search for solutions through local integration, where the possibility exists, UNHCR will assist host countries in identifying, appraising, planning and developing local rural and urban settlement schemes, the ultimate objective being to assist refugees so that their basic needs can be met and so that they can thus be fully integrated into local communities. This strategy implies close cooperation and coordination between UNHCR and relevant development agencies and non-governmental organizations, as well as with the host Government, to assure that such development initiatives undertaken in support of local integration are consistent with national development plans;

(d) In relation to resettlement, the strategy will consist of carrying out consultations with Governments and international and national organizations in establishing refugee resettlement quotas and in preparing and arranging the movement of refugees to countries of permanent asylum, and of assessing the professional and socio-economic potential of the refugees to be resettled in order to facilitate their integration in resettlement countries;

(e) The strategy for assuring a linkage between development assistance and the search for durable solutions to refugee situations, especially through voluntary repatriation and local integration, will consist of (i) gathering reliable information on the situation of refugees, returnees and displaced persons and on the basic socio-economic and political conditions of developing hosting countries; (ii) strengthening information sharing and support mechanisms; (iii) assisting in the formulation of action programmes in consultation with specialized development agencies and the concerned national authorities, which take into account the national development priorities of the host countries and the technical advance of other members of the United Nations systems, the World Bank, intergovernmental or governmental development agencies; (iv) assisting in the mobilization of the necessary financial resources and in-kind contributions; (v) undertaking the identification, preparation and formulation of possible refugee-related organizations, with appropriate UNHCR involvement; (vi) collaborating especially with agencies whose target beneficiaries are the poorest in rural and urban areas and among whom are to be found refugees; and (vii) improving and enhancing the monitoring of refugee-related development

programmes and projects, including the evaluation of them in order to assess the relevance, effectiveness and impact on refugees with a view to improving them as necessary.

Resource requirements (at revised 1991 rates)

29A.12 As mentioned earlier, in accordance with Article 20 in the Statute of the Office of the United Nations High Commissioner for Refugees, the Office of the UNHCR shall be financed under the budget of the United Nations. Unless the General Assembly subsequently decides otherwise, no expenditure other than administrative expenditures relating to the functioning of the Office of UNHCR shall be borne in the budget of the United Nations and all other expenditures relating to the activities of the United Nations High Commissioner for Refugees shall be financed by voluntary contributions. While the Statute does not define what is meant by "administrative expenditures", the term, based on a definition offered by the Advisory Committee on Administrative and Budgetary Questions in a report submitted to the General Assembly at its seventh session, has been interpreted to mean expenses other than operation expenses and the related management costs.

29A.13 Following the reduction in the number of posts requested by the General Assembly in its resolution 41/213 of 19 December 1986, discussions took place between UNHCR and the United Nations Secretariat which resulted in an agreement that a distinction should be made between operational support staff and non-operational support staff and that operational support staff, including related costs, should be exclusively financed from the voluntary funds administered by the High Commissioner. Because of the financial constraints in the regular budget, it was further agreed that the voluntary funds would also cover non-operational costs in the field, while the United Nations would meet the costs of non-operational staff at UNHCR headquarters at Geneva. Those proposals, which met with the approval of the Assembly, resulted in maintaining the number of posts to be financed from the regular budget at 244, with a different distribution among grades and with all posts being located at Geneva instead of being distributed between Geneva and field offices. It was also agreed at the time that the proposed new arrangements would remain unchanged for the four biennial periods subsequent to 1990-1991.

29A.14 The Executive Committee of UNHCR, in the light of the financial difficulties faced by UNHCR in meeting expenditures under voluntary funds, requested the High Commissioner to reopen negotiations with the Secretary-General "on an increase of the regular budget participation in the administrative costs of UNHCR in the preparation of the programme budget for the biennium 1992-1993" (A/AC.96/760, para. 29A). A review of the current arrangements therefore took place. Given that the essential functions of UNHCR, as outlined in its Statute, are to provide international protection to refugees and to seek durable solutions to refugee problems, UNHCR must maintain a presence, however minimal, in countries of asylum independently of the size or nature of material assistance programmes implemented in these countries. Under the circumstances, the posts of chiefs of missions could be deemed to constitute a proper charge to the regular budget. It is however proposed that only those posts of chiefs of missions in the least developed countries where UNHCR operates be recognized as a proper charge to the regular budget. These would consist of the following posts:

Country	Grade
Ethiopia	D-2
The Sudan	D-2
Afghanistan	D-1
Malawi	D-1
Somalia	D-1
Botswana	P-5
Djibouti	P-5
Equatorial Guinea	P-5
Lesotho	P-5
Mozambique	P-5
Sierra Leone	P-5
United Republic of Tanzania	P-5
Uganda	P-5
Burundi	P-4
Lao People's Democratic Republic	P-4
Nepal	P-4
Rwanda	P-4

29A.15 It is further proposed that they be brought under the regular budget on a phased basis. For the biennium 1992-1993, the inclusion of a P-5 and a P-4 post is proposed, giving rise to an increase of $263,000 under established posts and $144,000 under common staff costs.